

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RYAN KAUFMAN,

Plaintiff,

v.

JO GRIFFITH,

Defendant.

**8:18CV248**

**ORDER**

This matter is before the Court on a Findings and Recommendation (Filing No. 18) issued by the magistrate judge<sup>1</sup> pursuant to 28 U.S.C. § 636(b)(1). After a thorough review, the magistrate judge recommends the Court (1) permit the United States of America—over plaintiff Ryan Kaufman’s (“Kaufman”) objection—to substitute (Filing No. 8) for Jo Griffith as the named defendant in this case, *see* 28 U.S.C. § 2679(d), and (2) deny Kaufman’s Motion to Remand (Filing No. 10) this case to the District Court of Hall County, Nebraska. Kaufman has not objected to the magistrate judge’s findings and recommendation, and the time to object has now passed.

Under § 636(b)(1), the Court must “make a de novo review of . . . specified proposed findings or recommendations to which objection is made.” Absent objection, however, further review is unnecessary. *See Peretz v. United States*, 501 U.S. 923, 939 (1991); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009) (“[T]he failure to file objections eliminates not only the need for de novo review, but *any* review by the district court.”); *see also* Fed. R. Crim. P. 59 (a), (b)(2) (explaining the failure to timely object waives the right to review); NECrimR 59.2(a), (e).

Because Kaufman did not timely object to the magistrate judge’s sound findings and recommendation,

IT IS ORDERED:

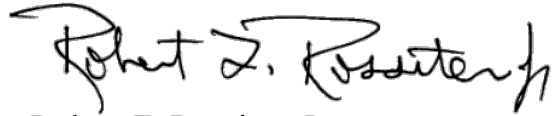
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<sup>1</sup>The Honorable Cheryl R. Zwart, United States Magistrate Judge for the District of Nebraska.

1. The Findings and Recommendation (Filing No. 18) is accepted. Any objections are deemed waived.
2. The United States Attorney's Notice of Substitution (Filing No. 8) and supporting Certification (Filing No. 8-1) are approved. The United States of America is substituted for Jo Griffith as the party defendant in this case. *See* 28 U.S.C. § 2679(d)(2).
3. Plaintiff Ryan Kaufman's Motion to Remand (Filing No. 10) is denied in its entirety.

Dated this 17th day of August 2020.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
United States District Judge